

REMARKS

Claims 1-9, 11-15, 17-19, 23-24, and 27-32 are rejected in the Action under 35 U.S.C. §103(a) as being unpatentable over Yamamoto et al. (EP 0522758) ("Yamamoto") in view of Hatada et al. (U.S. Patent No. 4,732,814) ("Hatada"). Claims 1-6, 11, 14-15, 17, 20-22, 27 and 31-32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shinonome et al. (EP 0398075) ("Shinonome") in view of Hatada. Claims 1-3, 9-10, 14-16 and 25-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kinoshita et al. (U.S. Patent No. 5,527,594) ("Kinoshita") in view of Hatada.

The claims have been amended to avoid the 35 U.S.C. § 103(a) rejections. Specifically, polymer 1 of the polymer alloy of the biaxially oriented film of the present invention has been limited to at least one of polyethylene terephthalate or poly(ethylene-2, 6-naphthalenedicarboxylate) and polymer 2 has been limited to polyetherimide. Claims 8, 9 and 10 have been cancelled.

The limitation of polymer 1 is supported in the specification of the present application, inter alia, on page 7, lines 16-18. The limitation of polymer 2 is supported, inter alia, in the specification of the present application on page 9, lines 12-16, and by claim 10.

The insufficiencies of Yamamoto, Shinonome and Kinoshita to support a case of obviousness of the biaxially oriented film of the present invention have been explained in the responses to the prior Office Actions in this application. Additionally, none of Yamamoto, Shinonome and Kinoshita discloses a biaxially oriented film comprising a polymer alloy as now specifically recited in the claims.

Neither Yamamoto nor Shinonome discloses a polymer alloy including polyetherimide. Kinoshita discloses a coating layer or a co-extruded thin polyester film on a base polyester film, wherein the coating layer can include a polyetherimide (column 15, lines 32-38 and column 17, lines 17-21). However, Kinoshita does not disclose a polymer alloy of polyethylene terephthalate or poly(ethylene-2, 6-naphthalenedicarboxylate) and polyetherimide.

Therefore, assuming, without admitting, that the technology of Hatada could have or would have been applied by a person of ordinary skill in the art to any of the films disclosed in Yamamoto, Shinonome and Kinoshita, a biaxially oriented film having the composition and micro protrusions as recited in the claims in the present application would not have been obtained.

PATENT APPLN. NO. 09/830,215
RESPONSE UNDER 37 C.F.R. §1.111

**PATENT
NON-FINAL**

Removal of the 35 U.S.C. § 103(a) rejections and a notice of allowability of the present application are believed to be in order and are respectfully solicited.

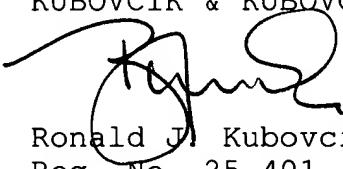
The foregoing is believed to be a complete and proper response to the Office Action dated May 17, 2004, and is believed to place this application in condition for allowance. If, however, minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 111833.

In the event any additional fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,

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